

Practitioner's Docket No. ST8012US

AUG 18 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The application of: Michael A. Centanni et al.

Application No.: 10/663,593

Group No.: 1744 Confirmation No.: 3283

Filed: September 16, 2003

Examiner: Elizabeth L. McKane

For: SENSOR FOR DETERMINING CONCENTRATION OF FLUID STERILANT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a **RESPONSE TO NOTICE REGARDING CHANGE OF POWER OF ATTORNEY** for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.


Signature

Date: August 15, 2006

Christine Goellner
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY				
TOTAL	8 -	31 =	0	x	\$	RATE	ADDIT. FEE
INDEP.	2 -	9 =	0	x	\$	200.00	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	\$ 0.00
				TOTAL ADDIT. FEE		\$	\$ 0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 50-0537.

If an additional fee for claims is required, charge Account No. 50-0537.

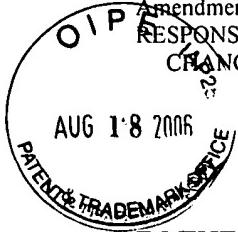
Date: August 15, 2006

Reg. No.: 31,115
Tel. No.: 440-684-1090
Customer No.: 22203

Signature of Practitioner

Mark Kusner
KUSNER & JAFFE
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143

Application No. 10/663,593
Amendment dated August 15, 2006
RESPONSE TO NOTICE REGARDING
CHANGE OF POWER OF ATTORNEY dated August 9, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Michael A. Centanni et al.
FOR : SENSOR FOR DETERMINING
CONCENTRATION OF FLUID STERILANT

SERIAL NO. : 10/663,593
FILED : September 16, 2003
CONFIRMATION NO. : 3283
EXAMINER : Elizabeth L. McKane
ART UNIT : 1744
ATTORNEY DOCKET NO. : ST8012US

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

Dear Sir:

On August 14, 2006, the undersigned received the attached *Notice Regarding Change of Power of Attorney*. The undersigned Attorney hereby objects to the change of Power of Attorney on the grounds that the Power of Attorney form recently filed by Case Western Reserve University is based upon invalid assignments.

The undersigned Attorney was granted the original Power of Attorney to prosecute the present application by all four (4) inventors in September 2003. A COMBINED DECLARATION / POWER OF ATTORNEY is of record in the present application.

A Power of Attorney was recently filed on behalf of Case Western Reserve University. Case Western Reserve University has no standing to seek revocation or change to the original Power of Attorney. The executed statement under 37 C.F.R. Section 3.73(b), filed on behalf of

Application No. 10/663,593
Amendment dated August 15, 2006
RESPONSE TO NOTICE REGARDING
CHANGE OF POWER OF ATTORNEY dated August 9, 2006

Case Western Reserve University, claims a chain of title from only two (2) of the four (4) inventors of the present application. The assignments from Chung-Chiun Liu and Jinsong Yu to Case Western Reserve University are invalid in view of prior assignments of the present invention by these inventors to **STERIS Inc.** (See Reel 014894, Frame 0722 of the U.S. Patent and Trademark Office. A copy of the *Notice of Recordation of Assignment Document* is attached).

All right, title and interest to the present application were assigned by all four (4) inventors to STERIS Inc. in September 2003. Accordingly, any subsequent assignment by two (2) of the inventors to another entity is invalid, and cannot be used as a basis for revoking the prior Power of Attorney to the undersigned Attorney. Only STERIS Inc., the owner of all rights to the present invention and application, can effect a change in the Power of Attorney.

For the foregoing reasons, it is respectfully requested that any change from the original Power of Attorney in the present application be revoked, and all future communications regarding this application be forwarded to the undersigned at the address listed in the original Declaration/Power of Attorney form.

Respectfully submitted,



Mark Kusner, Reg. No. 31,115

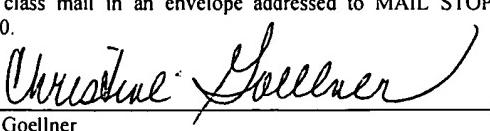
Date: August 15, 2006

KUSNER & JAFFE
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
(440) 684-1090 (phone)
(440) 684-1095 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 15, 2006



Christine Goellner



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/663,593	09/16/2003	Michael A. Centanni	ST8012US

22203
KUSNER & JAFFE
HIGHLAND PLACE SUITE 310
6151 WILSON MILLS ROAD
HIGHLAND HEIGHTS, OH 44143



CONFIRMATION NO. 3283



OC000000019963482

Date Mailed: 08/09/2006

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/27/2006.

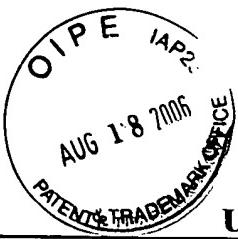
- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Syed Areebuddin

SYED AREEBUDDIN
PTOSS (703) 308-9150

FORMER ATTORNEY/AGENT COPY





COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 26, 2004

PTAS



102650782A

KUSNER & JAFFE
MARK KUSNER
HIGHLAND PLACE-SUITE 310
6151 WILSON MILLS ROAD
HIGHLAND HEIGHTS, OH 44143

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/20/2004

REEL/FRAME: 014894/0722

NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

CENTANNI, MICHAEL A.

DOC DATE: 09/17/2003

ASSIGNEE:

LIU, CHUNG-CHIUN

DOC DATE: 09/17/2003

ASSIGNEE:

ZHAO, DONG

DOC DATE: 09/17/2003

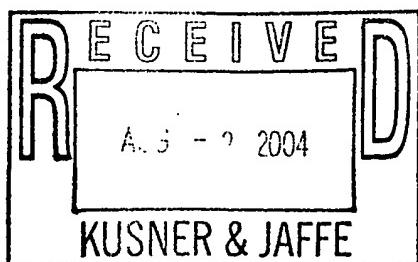
ASSIGNEE:

YU, JINSONG

DOC DATE: 09/17/2003

ASSIGNEE:

STERIS INC.
43425 BUSINESS PARK DRIVE
TEMECULA, CALIFORNIA 92590



014894/0722 PAGE 2

SERIAL NUMBER: 10663593

FILING DATE: 09/16/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SENSOR FOR DETERMINING CONCENTRATION OF FLUID STERILANT

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

O I P E 1APR
AUG 18 2006
U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

01-22-2004

Form PTO-1595
(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2008)

Tab settings



102650782

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael A. Centanni
Chung-Chiun Liu
Dong Zhao

1/20/04

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____ | |

Execution Date: September 17, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/663,593

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark Kusner

Internal Address: KUSNER & JAFFE

Highland Place - Suite 310

Street Address: 6151 Wilson Mills Road

City: Highland Heights State: OH Zip: 44143

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed Form PTO-2038

Authorized to be charged to deposit account

8. Deposit account number:

50-0537 (additonal charges only)

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark Kusner, Reg. No. 31,115

Name of Person Signing

Signature

January 15 2004

Date

Total number of pages including cover sheet, attachments, and documents: 6

Mail documents to be recorded with required cover sheet information to:

Filed together with a new patent application to:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Not filed with new patent application to:
Mail Stop Assignment Recordation Services
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

01/21/2004 LIPPELLE 000011810663593
FC:0021

ATTACHMENT FOR RECORDATION FORM COVER SHEET
PATENTS ONLY (Form PTO-1595)

1. Name of conveying party(ies):

Jinsong Yu

Additional name(s) of conveying party(ies) attached?

Yes No

2. Name and address of receiving party(ies)

Name: _____

Internal Address: _____

Street Address: _____

City: _____ State: _____ ZIP: _____

Name and address of receiving party(ies)

Name: _____

Internal Address: _____

Street Address: _____

City: _____ State: _____ ZIP: _____

Additional name(s) & address(es) attached?

Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?

Yes No

For: U.S. Rights and Foreign Rights
For: U.S. Application
By: Inventors

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Michael A. Centanni
7335 Beresford Avenue
Parma, Ohio 44130
Nationality: U.S.

Chung-Chiun Liu
2917 E. Overlook Road
Cleveland Heights, Ohio 44118
Nationality: U.S.

Dong Zhao
2654 North Moreland Blvd., Apt. #34
Cleveland, Ohio 44120
Nationality: U.S.

Jinsong Yu
2584 Lee Road
Cleveland Heights, Ohio 44118
Nationality: P.R. CHINA

hereby sell, assign and transfer to

ASSIGNEE:

STERIS Inc.
43425 Business Park Drive
Temecula, California 92590
A Delaware Corporation

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

SENSOR FOR DETERMINING CONCENTRATION OF FLUID STERILANT

and which is found in (37 C.F.R. Section 3.21) U.S. Application Serial No. 10/663,593, filed on September 16, 2003 and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal on the date(s) set forth below.

Date: 9/17, 2003

Michael A. Centanni

Signature of Michael A. Centanni

Date: _____, 2003

Signature of Chung-Chiun Liu

Date: _____, 2003

Signature of Dong Zhao

Date: _____, 2003

Signature of Jinsong Yu

BEST AVAILABLE COPY

Assignment of Invention--page 2 of 2

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal on the date(s) set forth below.

Date: _____, 2003

Signature of Michael A. Centanni



Date: Sept. 17, 2003

Signature of Chung-Chiun Liu

Date: Sept. 17, 2003

Signature of Dong Zhao



Date: _____, 2003

Signature of Jinsong Yu

BEST AVAILABLE COPY

Assignment of Invention--page 2 of 2

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said Invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

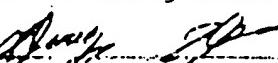
IN WITNESS WHEREOF, We have hereunto set hand and seal on the date(s) set forth below.

Date: Sept. 17, 2003

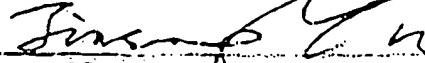
Signature of Michael A. Centanni



Signature of Chung-Chiun Liu



Signature of Dong Zhao



Signature of Jiaxiang Yu

